

FORM PTO-1392
(REV. 12-2004)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

38506-0025US

U.S. APPLICATION NO. (if known, see 37 CFR 1.51)

10/538635
To be assigned

INTERNATIONAL APPLICATION NO.

PCT/US2003/038950

INTERNATIONAL FILING DATE

10 December 2003 (10.12.2003)

PRIORITY DATE CLAIMED

10 December 2002 (10.12.2002)

TITLE OF INVENTION

**IDENTIFICATION OF GENES INVOLVED IN ANGIOGENESIS, AND DEVELOPMENT OF AN
ANGIOGENESIS DIAGNOSTIC CHIP TO IDENTIFY PATIENTS WITH IMPAIRED ANGIOGENESIS**

APPLICANT(S) FOR DO/EO/US

Stephen E. EPSTEIN and Mary Susan BURNETT

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This express request to begin national examination procedures (35 U.S.C. 371(f). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☐ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☒ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ A English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ had been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20. below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included
13. ☐ A preliminary amendment.
14. ☒ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 132 and 37 CFR 1.821-1825
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4)
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information: Forms: PCT/IB/301, PCT/IB/304, PCT/IB/308, PCT/ISA/210

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR 1.7)

INTERNATIONAL APPLICATION NO.

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PCT/US03/038950

38506-0025US

21. The following fees are submitted:

- ☒ a) Basic national fee.....\$300.00
- ☒ b) Examination fee.....\$200.00
- ☒ c) Search fee.....\$100.00

TOTAL OF ABOVE CALCULATIONS =

CALCULATIONS PTO USE ONLY

\$ 600.00

☐ Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.

\$

TOTAL
SHEETS

EXTRA SHEETS

NUMBER EXTRA (of each
additional 50 or fraction thereof
rounded up to a whole number)

RATE

77-100 =

/50 =

x \$250.00

Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).

CLAIMS

NUMBER FILED

NUMBER EXTRA

RATE

Total claims

- 20 =

x

\$50.00

\$

Independent claims

- 3 =

x

\$200.00

\$

MULTIPLE DEPENDENT CLAIM(S) (if applicable)

+

\$360.00

TOTAL OF ABOVE CALCULATIONS =

\$ 600.00

☐ Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.

SUBTOTAL =

\$ 600.00

Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).

+

TOTAL NATIONAL FEE =

\$ 600.00

Fee for recording the enclose assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property

+

\$

TOTAL FEES ENCLOSED =

\$ 600.00

Amount to be
refunded:

\$

Amount to be
charged:

\$

- a. ☒ A check in the amount of \$ 600.00 to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. _____ in the amount of _____ to cover the above fees.
- A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment
- To Deposit Account No. 08-1641 A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

HELLER EHRMAN LLP
1717 Rhode Island Avenue, N.W.
Washington, DC 20036
Customer No. : 26633

SIGNATURE

NAME

Date

Paul M. Booth

June 10, 2005

REGISTRATION NUMBER

40,244